

### III. REMARKS

Claims 1-17 are pending in this application. By this amendment, claims 1-7, 9-13, and 15-17 have been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 2-5 and 13 are objected to for informalities. Claims 2-4, 7, 10, 12 and 13 are rejected under 35 U.S.C. §112 as allegedly being indefinite. Claims 1-17 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Yamauchi *et al.* (U.S. Patent No. 5,649,102), hereafter "Yamauchi" in view of Hayashi *et al.* (U.S. Patent No. 5,649,102), hereafter "Hayashi."

#### A. OBJECTION TO CLAIMS 2-5 AND 12 FOR INFORMALITIES

The Office has objected to claims 2-5 and 12 for alleged informalities. Specifically, the Office alleges the inclusion of typographical errors. Applicants have amended claims 2-5 and 12 in accordance with the Office's recommendations. Applicants assert that these amendments cure the alleged informalities. Accordingly, Applicants request that the rejection be withdrawn.

#### B. REJECTION OF CLAIMS 2-4, 7, 10, 12 AND 13 UNDER 35 U.S.C. §112

The Office has asserted that claims 2-4, 7, 10, 12 and 13 are indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the

invention. Specifically, the Office states that the term "said scope definitions" in claim 2 and the term "said group" in claims 3, 7, 10, 12 and 13 lack antecedent basis. In accordance with the Office's recommendations, Applicants have amended claim 2 to recite "...said set of scope definitions" and have amended claims 3, 7, 10, 12 and 13 to recite "...said group of cooperating communication managers." Applicants assert that these amendments further clarify the invention. Accordingly, Applicants request that the rejection be withdrawn.

### **C. REJECTION OF CLAIMS 1-17 UNDER 35 U.S.C. §103(a)**

With further regard to the 35 U.S.C. §103(a) rejection over Yamauchi in view of Hayashi, Applicants assert that the combined features of the cited references fail to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claim 1, and similarly claimed in claims 6, 9, 11 and 12, Applicants submit that Hayashi fails to teach that the computer system resources to which the command is to be applied are used by the at least one of the group of cooperating communication managers for processing data. The Office admits that Yamauchi does not teach this feature. Instead, the Office equates the computer system resources of the claimed invention with the resource to be accessed in Hayashi. Office Action, page 5, citing Hayashi, col. 6, line 65 through col. 7, line 32. However, the resource to be accessed of Hayashi is the data that is the object of shared processing operation, and not a resource that the shared processing operation uses to process the data. In contrast, the present invention includes "...respective computer system resources, which are used by the at least one of the group of cooperating communication managers for processing data, ... to which the command is to be applied by reference to their associated scope definitions." Claim 1. As such,

the computer system resources to which the command of the claimed invention is applied are not merely data to be processed as is the resource to be accessed of Hayashi, but rather are used by the at least one of the group of cooperating communication managers for processing data. Thus, the computer system resources of the claimed invention are not taught or suggested by the resource to be accessed of Hayashi. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With further respect to independent claims 6, 9 and 11, and similarly claimed in claims 1 and 12, Applicants respectfully submit that the cited references do not teach or suggest, *inter alia*, a command having both command target qualifier and scope definition parameters. The Office equates the command of the claimed invention with the packet of Yamauchi. FIG. 10. The Office then equates the destination computer field of the Yamauchi packet with the command target qualifier of the claimed invention. FIG. 10. The Office admits that Yamauchi does not teach the scope definition parameters of the claimed invention. Instead the Office equates the scope definition parameters of the command of the claimed invention with a conversion between a shared and a local processing operation by a shared/local conversion control unit of Hayashi. Col. 6, line 55 through col. 7, line 32. However, the conversion of Hayashi is not taught as being a parameter of a command. Furthermore, the conversion of Hayashi is not taught as being performed in conjunction with another command target operation. Nowhere in either Yamauchi or Hayashi or the combination thereof is a command having both a command target qualifier and scope definition parameters taught or suggested.

In contrast, the claimed invention includes providing a set of commands having the following parameters: a command target qualifier...and a scope definition.” Claim 6. As such,

the set of commands of the claimed invention does not merely have a single destination computer field without scope definition parameters as does the packet of Yamauchi and/or a single commandless conversion as does the shared/local conversion control of Hayashi, but instead has both a command target qualifier and scope definition parameters. For the above reason, the cited references fail to teach or suggest the set of commands of the claimed invention. Accordingly, Applicants request that the Office's rejection be withdrawn.

With still further respect to independent claim 1, and with respect to claims 8 and 10, Applicants respectfully submit that Yamauchi fails to teach or suggest, *inter alia*, a set of target qualifiers of a command, wherein at least one the set of command target qualifiers includes at least one command target qualifier indicating that a command should be targeted to all members of the group of cooperating communication managers. As stated above, the Office equates the command of the claimed invention with the packet of Yamauchi. FIG. 10. However, the packet of Yamauchi has only a single destination computer field and no provision within the packet itself for a designation of multiple members of a group. Col. 12, lines 10-23. The Office also cites a passage of Yamauchi in support, which recites "[t]his packet is then transmitted to the computers having the corresponding shares data or to all computers." Col. 12, lines 10-23. However, this passage of Yamauchi merely teaches that a number of instances of a packet each having a single source computer field are transmitted to computers having the corresponding shared data and does not teach an indicator in the packet that the packet should be targeted to all members of the group.

The claimed invention, in contrast, includes "...a set of target qualifiers of a command, ...wherein at least one the set of command target qualifiers includes at least one command target

qualifier indicating that a command should be targeted to all members of the group of cooperating communication managers.” Claim 1. As such, in contrast to Yamauchi, the at least one command target qualifier of the claimed invention that indicates whether a command should be targeted to all members of the group of cooperating communication managers in part of the command itself. Thus, the packet of Yamauchi does not teach the command of the claimed invention. Hayashi does not cure this deficiency. Accordingly, Applicants request that the rejection be withdrawn.

With respect to dependent claims 14-17, Applicants assert that the Office fails point out with specificity where the cited references teach or suggest that the cooperating communication managers are queue managers. Furthermore, with respect to dependent claims 15-17, Applicants respectfully submit that the cited references fail to teach or suggest that the computer program is a queue. Accordingly, Applicants submit that the claims in condition for allowance.

With further regard to the 35 U.S.C. §103(a) rejection over Yamauchi in view of Hayashi, Applicants continue to assert that there is no motivation for combining the references. Specifically, no reasonable intrinsic or extrinsic justification exists for the proposed combination. In Yamauchi, access to shared data is granted to a particular computer by transferring ownership of the shared data to the computer for a period of time. Col 20, lines 1-5. During this time the owning computer in Yamauchi has the data at the computer and has complete control of the data, and other computers needing access to the data are suspended. Col. 20, lines 1-10. When the computer has completed its use of the data and an ACQUIRE command has been received from another computer, the computer physically transfers ownership of the data to the other computer. Col. 20, lines 17-19.

In contrast, Hayashi teaches two ways of ensuring the integrity of a shared resource. These two ways are shared processing in which all of the processors symmetrically perform the processing of the integrity guarantee within the shared memory and local processing in which only one processor module assigned to the resource performs the processing of the integrity guarantee. Col. 5, lines 7-19. However, Yamauchi teaches away from the used of shared memory, stating, "...there is no physical memory shared by the computers." Col. 8, lines 40-41. Without this shared memory, the shared processing of Hayashi would have no shared processing to which to toggle, and, as such, the function provided by the shared/local conversion control unit of Hayashi would be obsolete. Thus, there is no reasonable expectation of success in combining Hayashi with Yamauchi. Accordingly, the Office has failed to prove a *prime facie* case of obviousness and Applicants request withdrawal of the rejection.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

#### IV. CONCLUSION


In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in

rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

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